

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JERMAINE F. FORD,

Petitioner,

v.

JUDY P. SMITH,

Respondent.

Case No. 18-CV-1423-JPS

ORDER

On August 15, 2019, Petitioner in the above-captioned case filed a motion to voluntarily dismiss his petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Docket #11). Respondent has yet to file an answer. The Court will therefore grant Petitioner's motion and dismiss the case without prejudice. Fed. R. Civ. P. 41(a)(1)(i); *United States ex re. Staples v. Cowan*, 00-C-4908, 2001 WL 290412, at *1–2 (N.D. Ill. Mar. 21, 2001) (applying Federal Rule of Civil Procedure 41(a) to voluntary dismissal of habeas petition); *Nelson v. Lashbrook*, 17-CV-1052, 2018 WL 369443, at *1 (S.D. Ill. Jan. 11, 2018) (same). Petitioner's pending motion to supplement the petition for writ of habeas corpus, (Docket #10), will be denied as moot.

Accordingly,

IT IS ORDERED that Petitioner's motion to supplement the petition for writ of habeas corpus (Docket #10) be and the same is hereby **DENIED as moot**;

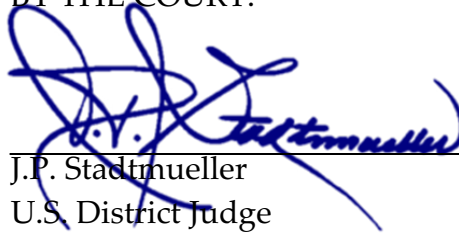
IT IS FURTHER ORDERED that Petitioner's motion to voluntarily dismiss the case (Docket #11) be and the same is hereby **GRANTED**; and

IT IS FURTHER ORDERED that this case be and the same is hereby **DISMISSED without prejudice**.

The Clerk of the Court is directed to enter judgment accordingly.

Dated at Milwaukee, Wisconsin, this 19th day of August, 2019.

BY THE COURT:



J.P. Stadtmueller
U.S. District Judge